

## REMARKS

Claims 1, 5, 8-10, 35-40 and 42 are pending in the present application. Claims 1, 5, 8-10, 35-40 and 42 have been rejected. Applicant reserves the right to peruse these claims in a continuation application. Claims 1 and 35 have been amended. Claim 53 has been added. No new matter has been added.

### 35 U.S.C. § 103(a) REJECTIONS

Claims 1, 5, 8-10, 35-40 and 42 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,870,611 (London Shrader et al.) in view of U.S. Patent No. 5,960,189 (Yinger et al.). It is respectfully submitted that claims 1, 5, 8-10, 35-40, 42, and 53 are patentable for at least the reasons set forth below.

Claims 1 and 35 are independent claims and recite similar features, as illustrated by amended claim 1:

In a system for managing application installation operations, a method of communicating with an application, comprising:

receiving from the application a call to set a property related to performing an application installation operation, wherein the application installation operation is a downsize operation, **further wherein the downsize operation comprises one of removing non-essential data and removing data that can be recreated from another source;**

receiving from the application a call to initialize the application installation operation;

receiving from the application a call to finalize the application installation operation; and

if the application installation operation is not executed successfully by the application, receiving a call to abort the application installation operation. (emphasis added).

London Shrader et al. discloses systems and methods for defining and constructing a proposed plan object for installing software across a network (London Shrader et al., col. 1, ll. 18-22). The invention reduces the network installation planning process into a series of discrete objects and provides an object oriented, graphical means by which administrators can

set-up and view applications that are selected to be installed on a set of workstations across the LAN (Id., col. 2, ll. 7-13). The administrator can then use the object oriented representation to generate the files needed for the actual physical installation (Id., col. 2, ll. 13-15). The system provides administrators with a high level view of the network installation plan, shielding them from the physical implementation and leaving them to concentrate on the building blocks for the plan (Id., col. 2, ll. 15-19).

Yinger et al. purports to teach a data processing system for computer application installation on a client/server network on an as needed basis (Yinger et al., Abstract). A user on a client computer application to execute through a menu driver (Id.). A local application repository is checked for the requested application, and determines if it is more current than a version installed on the client computer (Id.). If it is, the installed version is replaced with the version in the repository, and the application is automatically executed at the client computer (Id.).

None of the cited prior art, alone or in combination teaches **a downsize operation comprising one of removing non-essential data and removing data that can be recreated from another source**. The Examiner states that London Shrader et al. teaches a downsize operation at column 7, lines 28-30. Specifically, the Examiner points to the action type "configure" as an example of a downsize operation. Applicant respectfully maintains that configuring an already installed application is not the equivalent of a downsize operation. Regardless, the cited portion of London Shrader et al. makes no mention of either removing non-essential data or removing data that can be recreated from another source as part of the alleged downsize operation. These types of operations are never discussed anywhere in London Schrader et al. Similarly, Yinger et al. also fails to teach or suggest such a feature.

Because none of the cited prior art, alone or in combination, teach **a downsize operation comprising one of removing non-essential data and removing data that can be recreated from another source**, Applicant respectfully requests that the Examiner withdraw the rejection and allow claim 1.

Claim 35 includes features similar to those described for independent claim 1, and is therefore allowable for at least the reasons given for claims 1. It is therefore respectfully requested that the Examiner withdraw the rejection and allow claim 35.

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**PATENT**  
**REPLY FILED UNDER EXPEDITED**  
**PROCEDURE PURSUANT TO**  
**37 CFR § 1.116**

Claims 5, 8, 9, 10, 36, 37, 38, 39, 40, 42 and 53 are all variously dependant on independent claims 1 and 35 and are therefore similarly patentable for at least the same reasons. It is therefore respectfully requested that the Examiner withdraw the rejections and allow the claims.

**CONCLUSION**

For all of the foregoing reasons, Applicant's undersigned representative respectfully requests reconsideration of the outstanding office action and issuance of a Notice of Allowance.

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